IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2671 of 2007

CRIME NO. 126/2007 OF THEKKUMBHAGRAM POLICE STATION

PETITIONERS/ACCUSED

1. THAHA, CHALIL THEKKETHIL VEEDU,
KOYIVILA, VADAKKEKKARA MURI, THEVALAKKARA VILLAGE,
KARUNAGAPPALLY.

2. RAMLA, W/O.THAHA,
CHALIL THEKKETHIL VEEDU, KOYIVILA,
VADAKKEKKARA MURI, THEVALAKKARA VILLAGE,
KARUNAGAPPALLY.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS: STATE

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR OF
KERALA HIGH COURT.

BY PUBLIC PROSECUTOR SRI. P.A.SALIM

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.Balachandran, J.

B.A.No. 2671 of 2007

ORDER

This is an application for anticipatory bail filed under Section 438 Cr.P.C.

2. The petitioners are accused in Crime No.126/07 of Thekkumbhagom Police Station, registered for offences under Sections 294B, 323 and 506(1) IPC read with Section 34 thereof and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1980. The occurrence is alleged to have taken place at 10 a.m. on 7.4.007. The accused are, however, not yet apprehended. Considering the entire circumstances of the case, I am of the view that anticipatory bail can be granted to the petitioners, imposing stringent conditions.

In the result, I allow this bail application and direct that:

(i) the petitioners do surrender before the learned Magistrate concerned positively within fifteen days from today;

(ii) that on such surrender and on each of them depositing, by way of cash security, an amount of Rupees ten thousand and executing bail bond for Rupees twenty thousand with two solvent sureties each for like sums to the satisfaction of the learned Magistrate concerned, the petitioners shall be enlarged on bail;

(iii) that on such release the petitioners shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iv) that the grant of anticipatory bail shall not stand in the way of the learned Magistrate granting custody of the petitioners to the

Investigating Officer for questioning, if the Investigating Agency so asks for and the learned Magistrate deems it fit to grant, considering the circumstances of the case.

4th May, 2007 (K.P.Balachandran, Judge)

tkv